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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,773	12/28/2001	Benn Bollay	10547-0016-999	2128

7590 06/28/2006

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EXAMINER

BLOUNT, STEVEN

ART UNIT PAPER NUMBER

2616

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/040,773

Applicant(s)

BOLLAY ET AL.

Examiner

Steven Blount

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 20 and 23 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent application 20020059451 to Haviv in view of the Applicants Admitted Prior Art (AAPA).

With regard to claim 1, Haviv teaches content filter router 16 which receives packets which would include the address of the said router just before it receives the packet, and filters the packet before sending it to content serves 14. See page 2 par 0021.

Haviv does not however teach the filtering information to be presented in list form.

AAPA on page 3 lines 28+ teaches presenting this information in a list.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have collected the filtering information of Haviv in list form in light of the teachings of AAPA in order that the content may be filtered more efficiently.

With regard to claim 2, see the routing to servers 14.

With regard to claim 3, see the discussion of ports in paragraph 56.

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With regard to claims 4 – 6, the use of a routing protocol would be obvious, and the choice of BGP would be an obvious choice.

With regard to claim 7, see the discussion of additional filtering in paragraph 21.

With regard to claim 8, members 14 would be obvious to connect to a service provider.

With regard to claim 9, see the discussion of the ports and the list above.

With regard to claim 10, the use of routing tables is well known in the art.

With regard to claim 11, see the discussion of checking the list above.

With regard to claim 12, the second destination would obviously be removed.

With regard to claim 13, see the discussion above.

With regard to claim 14, see the rejection of claim 1 above and note that the method steps are inherent in the teachings of the apparatus.

With regard to claims 15 - 16, see the discussion of the multiple filter routers above and note that this would make the determination step obvious.

With regard to claim 17, note the use of the server 14 above.

With regard to claim 18, the use of an (on/off type) indicator would be obvious.

With regard to claim 19, see the use of a level for the source address would be obvious in order that the proper filter may be applied.

With regard to claim 20, see the discussion of the use of a list and multiple levels of filtering above.

With regard to claim 23, it would have been obvious to one of ordinary skill in the art to have implemented the teachings of Haviv/AAPA in software in order to insure the repeatability of the process.

With regard to claims 24 – 25, see the discussion of claim 1 above.

3. Claims 21 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent application 20020059451 to Haviv in view of Applicants Admitted Prior Art as applied above to claims 1 – 20 and 23 – 25, and further in view of U.S. patent 6,650,233 to Hatanaka et al.

Haviv/AAPA teach the invention as described above, but do not teach a router comprising a CPU, I/O ports, or memory. This is taught in Hatanaka et al.

It would have been obvious to one of ordinary skill in the art to have implemented the filtering router of Haviv/AAPA in a router with a CPU, I/O ports, and memory, in light of the teachings of Hatanaka et al, in order to provide a means for implementing the filtering of the packets.

### ***Response to Arguments***

4. Applicant's arguments have been fully considered but they are not persuasive.

The examiner notes that "server computer 14" is presented with a request for "content". See par 18 line 8 (mentioning a "storage device") and note that it is well known in the art that a server "serves" a client by providing it with information. Note also that the routers 16 would by necessity receive this said packet.

The examiner notes that Haviv operates in a TCP/IP environment, and that "filtering transactions" is mentioned in paragraph 21. On page 2 lines 28+ of the

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admitted prior art, it is mentioned that there is a "list or restricted sites", and on lines 10+, "Web sites" are said to be filtered. The examiner does not believe it would require much effort on behalf of one of ordinary skill in the art to recognize that the filtering taught in Haviv occurs through the denial of restricted "IP Addresses" in light of the teachings of Haviv and the admitted prior art.

The examiner notes the use of ports in this manner would be beyond obvious to one of ordinary skill in the art, and the examiner notes that ports are taught in par 56 of Haviv.

The examiner notes that the address of the content filtering routers must by necessity be included in the packets.

The applicants other arguments are addressed as above.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 571 - 272 - 3071. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached on 571 - 272 - 7269 . The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WELLINGTON CHIN  
SENIOR PATENT EXAMINER

SB  
  
6/10/06